

REMARKS

In the Office Action mailed March 24, 2005, Claims 1-23 were rejected under 35 USC §102 as anticipated by Zur (USP 4258445) or Zur (USP 4287620) or Korchinski (USP 4800599) or Blevins (USP 6691349) or Osborne (US Pub. 2004/0177445).

Applicant respectfully traverses the rejections by supplying claims to clarify the invention and pointing out features that are not taught or suggested by the references.

The amendments set forth herein are provided solely to clarify the invention as filed and set forth in the pending claims in order to comply with applicable statutes and regulations. The amendments are not intended to limit the invention or preclude the application of equivalents which Applicant may be entitled to under law.

Prior Art Rejections Under 35 USC §102

A rejection under 35 USC §102 requires that the cited reference teach all the claimed elements. (MPEP §706.02 IV).

The claimed invention is directed to a multi-position reclining bed with a support including a plurality of sections. The sections include a back section, a buttocks section, a thigh section, and a calves section, collectively configured to carry a mattress thereon. A track and linear actuator are designed to allow a user to configure the bed into a comfortable position.

The bed is designed as a "wall-hugger" bed where the back section of the support is coupled to the track section and configured to move an end portion thereof vertically when the linear actuator is activated. In other words, the end portion of the back section remains at a substantially consistent distance from the wall when the linear actuator is activated by the user to move the support.

In addition, the bed is designed so that the thigh section and calves section can be configured to form a single acting rigid coplanar leg section that reclines pivotally below a horizontal plane of the buttocks section in a downward direction pivotally about an adjoining edge with the buttocks section.

Claim 24 requires the aforementioned sections, track, linear actuator, back section with an end portion that moves vertically, and the thighs and calves section that can be configured as a coplanar leg section. These elements and features are not taught or suggested by the references.

Claims 25-44 depend from claim 24 and require additional elements or features not taught or suggested by the references.

Claim 45 requires the aforementioned sections, track, and linear actuator, where the thighs and calves section that can be configured as a coplanar leg section. These elements and features are not taught or suggested by the references.

Claims 46-48 depend from claim 45 and require additional elements or features not taught or suggested by the references.

The cited references do not teach or suggest the presently claimed invention.

Zur (USP 4258445) is directed to beds and adjustable body support assemblies. The reference depicts a multi-section bed, but fails to teach or suggest a track structure in combination with a linear actuator to provide a wall-hugger bed. The reference further fails to teach or suggest a thigh section and calves section that can be configured to form a single acting rigid coplanar leg section that reclines pivotally below a horizontal plane of the buttocks section in a downward direction pivotally about an adjoining edge with the buttocks section.

Zur (USP 4287620) is directed to a multi-feature and variable function body supporting assembly and sideguards. The reference depicts a multi-section bed, but fails to teach or suggest a track structure in combination with a linear actuator to provide a wall-hugger bed. The reference further fails to teach or suggest a thigh section and calves section that can be configured to form a single acting rigid coplanar leg section that reclines pivotally below a horizontal plane of the buttocks section in a downward direction pivotally about an adjoining edge with the buttocks section.

Korchinski (USP 4800599) is directed to a somatic support system. The reference depicts a multi-section recliner, but fails to teach or suggest a track structure in combination with a linear actuator to provide a wall-hugger bed. The reference further fails to teach or suggest a thigh section and calves section that can be configured to form a single acting rigid coplanar leg section that reclines pivotally below a horizontal plane of the buttocks section in a downward direction pivotally about an adjoining edge with the buttocks section.

Blevins (USP 6691349) is directed to a patient bed with leg lifter. The reference depicts a multi-section bed, but fails to teach or suggest a track structure in combination with a linear actuator to provide a wall-hugger bed. The reference further fails to teach or suggest a thigh

section and calves section that can be configured to form a single acting rigid coplanar leg section that reclines pivotally below a horizontal plane of the buttocks section in a downward direction pivotally about an adjoining edge with the buttocks section.

Osborne (US Pub. 2004/0177445) is directed to a hospital bed. The reference depicts a multi-section bed, but fails to teach or suggest a track structure in combination with a linear actuator to provide a wall-hugger bed. The reference further fails to teach or suggest a thigh section and calves section that can be configured to form a single acting rigid coplanar leg section that reclines pivotally below a horizontal plane of the buttocks section in a downward direction pivotally about an adjoining edge with the buttocks section.

Overall, the references do not teach or suggest the required elements of the claims. For these reasons, Applicant submits that the claimed invention is not taught or suggested by the references alone or in combination. Consequently, Applicant submits that the pending claims are allowable over the references. Applicant therefore requests that the Examiner reconsider and withdraw the rejections.

Conclusion

Applicant has supplied claims to further clarify features that are not taught or suggested by the references. For these reasons, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of the claims.

If any matters can be resolved by telephone, Applicant requests that the Patent and Trademark Office call the Applicant at the telephone number listed below.

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